APPENDIX "A".

Statutes Involved.

Title 20 of the Code of the District of Columbia, as follows:

"Section 752. All personal property in the District * * * subject to taxation to be listed and assessed at not less than the full and true value thereof in lawful money."

"Section 753. The assessor of the District * * * shall annually cause to be prepared a printed blank schedule of all tangible personal property * * * subject to taxation * * *, and a copy of said schedule shall be delivered to any citizen applying therefor. Every person * * * in said District liable to taxation hereunder and every association, company, executor * * * holding personal property in trust liable to taxation hereunder shall * * * fill out the proper blanks * * * and make and sign an affidavit to the truth thereof * * * and THEREUPON said board of personal tax appraisers, or any one of the members * * * shall assess said property at its fair cash value, and enter the same * * * upon said blanks * * * and the amount thus ascertained shall be entered upon the books for taxation for each fiscal year * * *. Provided, that if any person * * * shall fail to make and deliver * * * within thirty days * * * the schedule of his or its said personal property * * * then the said board * * * shall without delay, from the best information they can procure, make an assessment against such person * * * to which they shall add twenty percentum thereof * * *. Provided further that if the said board of personal tax appraisers be not satisfied as to the correctness of the return * * * of personal property * * * said board may reject said return and * * * may from the best information he or they can procure * * * assess the same in such amount as may seem just; and notice of the rejection of the sworn return shall be given to the party interested * * *".

"Section 754. The moneys and credits of any person * * * shall be scheduled and appraised in the manner provided by Sec. 753 * * * and as taxes on said moneys and credits there shall be paid to the said tax collector

* * * not less than five tenths of 1 percentum of the value thereof."

"Section 757. Returns of all personal property * * * shall be made in the month of July in the fiscal year in which the assessment is levied and the value of such property shall be made as of the first day of that month * * *. Provided, that this section shall be effective during March 1929 * * *".

"Section 758 * * *

"If any person neglects * * * to file a return of personal property as required by law * * * the Board of Commissioners may, by petition to the Supreme Court of the District * * * compel the filing of a sworn return * * *".

"Section 769. * * * If at any time within any current year, property subject to taxation under the provisions of this section shall have been omitted from assessment, said board of personal tax appraisers shall immediately proceed to assess the same for the then current year, giving notice in writing to the persons or corporations so assessed, who shall have a right of appeal within ten days from date of said notice * * *".

District of Columbia Revenue Act, 1937, Title 20 D. C. Code, Sup. III, Sections 970 to 970 (15):

"Section 970(1)(d) The term 'business' shall include the carrying on * * * for gain or economic benefit, either direct or indirect, any trade, business, profession, vocation, or commercial activity in or on privately owned property, and in or on property owned by the United States, not including, however * * * any individual as an employee for wages, salary or commission".

"970 (2) (a) No person shall engage in or carry on any business in the District of Columbia * * * without having first obtained a license so to do from the Commissioners".

"Section 970 (4) Every person subject to the tax hereunder, shall, within thirty days after the approval of this Act, furnish to the assessor on a form prescribed * * * a statement under oath showing the gross receipts

of the taxpayer during the preceding calendar year, which said return shall contain such other information as the Commissioners may deem necessary * * *.

"The Commissioners are authorized and empowered to extend for cause shown the time for filing a return for a period not exceeding thirty days."

"Section 970 (5) For the privilege of engaging in business in the District of Columbia each person * * * for the fiscal year 1937-1938 shall pay a tax equal to two-fifths of 1 percentum of the gross receipts in excess of $2,000.00 derived from such business for the calendar year 1936; Provided * * * that the tax * * * shall be payable only upon the gross commissions of any person engaged in the business of a broker or agent, and shall not be payable upon the funds of his principal, of which he is a mere conduit."

"Section 970 (8) If a return * * * is insufficient and the maker fails to file a * * * sufficient return within 20 days * * * required by notice * * * the assessor shall determine the amount of the tax * * *. The assessor shall give notice of such determination to the person liable, and such determination shall finally and irrevocably fix the tax unless the person * * * within fifteen days apply to the Board of Equalization and review * * *".

"Section 970 (9) Any person failing to file a return or corrected return within the time required by this title shall be subject to a penalty of 10 percentum of the tax due plus 5 percentum of such tax for each month of delay or fraction thereof."

"Section 970 (11) The taxes levied hereunder and penalties may be collected by the collector of taxes of the District of Columbia in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection."

National Agricultural Marketing Act, U. S. Code, Title 12, Section 1141:

"To promote the effective merchandising of agricultural commodities in interstate and foreign commerce,

so that the industry of agriculture will be placed on a basis of economic equality with other industries, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products—

"(1) by minimizing speculation.

"(2) by preventing inefficient and wasteful methods of distribution.

"(3) by encouraging the organization of producers into effective associations or corporations under their own control for greater unity of effort in marketing and by promoting the establishment and financing of a farm marketing system of producer-owned and producer-controlled cooperative associations and other agencies."

U. S. Code, Title 12, Sec. 1141 (j):

"Section 1141 (j) As used in this subchapter the term 'cooperative association' means any association in which farmers act together in collectively processing, preparing for market, handling and/or marketing the farm products, of persons so engaged and also means any association in which farmers act together in collectively purchasing, testing, grading and/or processing their farm supplies; Provided, however, that such associations are operated—for the mutual benefit of the members thereof as such producers or purchasers and conform to one or both of the following requirements:

"First: That no member * * * is allowed more than one vote * * *.

"Second: That the Association does not pay dividends on stock or membership capital in excess of 8 percentum per annum."

U. S. Code, Title 12, Sec. 1141 (j) Supp. IV.

"Section (a) * * * As used in this subchapter the term 'cooperative association' means any association in which farmers act together * * * handling and/or marketing the farm products of persons so engaged, and * * * in which farmers act together in * * * grading * * * distributing and/or furnishing farm supplies, and/or farm business services; Provided, however, that such associations are operated for the mutual benefit of

the members thereof as such producers and purchasers and conform to one or both of the following requirements:

"First: That no member of the association is allowed more than one vote * * * and

"Second: That the association does not pay dividends on stock or membership capital in excess of 8 percentum per annum.

"And in any case to the following:

"Third: That the association shall not deal in farm products, farm supplies and farm business services with or for nonmembers in an amount greater in value than the total amount of such business transacted by it with or for members * * *".

U. S. Code, Title 7, Section 291:

"* * * Persons engaged in the production of agricultural products * * * may act together in associations, corporate or otherwise, with or without capital stock, in collectively * * * handling and marketing in interstate and foreign commerce, such products * * * and such associations and their members may make the necessary contracts and agreements to effect such purposes; Provided, however, that such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

"First: That no member of the association is allowed more than one vote * * *

"Second: That the association does not pay dividends on stock or membership capital in excess of 8 percentum per annum.

"And in any case to the following:

"Third: That the association shall not deal in the products of nonmembers to an amount greater in value than such as are handled by it for members".

APPENDIX "B".

Article 23, Section 419 Ann. Code of Maryland:

"Section 419. The following terms whenever used in this Act, shall be construed as follows:

"(a) 'Members' shall mean one who owns stock in a corporation or association organized with capital stock or one who holds a certificate of membership in a corporation or an association organized without capital stock.

"(b) 'Cooperative' as applied to corporations or associations, shall mean that the following principles are adopted and used by such corporations or associations:

"That such associations are operated for the mutual benefit of the members * * * and conform to the following requirements:

"First: That no member * * * is allowed more than one vote * * *.

"Second: That the Association does not pay dividends on stock or membership capital in excess of eight percent per annum.

"Third: That the Association shall not deal in products of non-members to an amount greater in value than such as are handled by it for members.

"Fourth: Proceeds from the business of such Association after paying of any necessary expenses and authorized deductions are distributed to the members in proportion to the volume of business transacted by said members with the Association".

"Section 441: Any association organized under this act as agent to sell the products of members, may operate upon a non-profit basis by contracting to pay the members, for products sold by said members to or through the association, the resale price minus a uniform charge to cover the expenses involved * * *; resale price to be the actual resale price, or to be based upon the average price during any period for products of the same type and quality; the uniform charge for expense to be specified in the contract or made otherwise ascertainable or left for determination by the directors."

Virginia Code, Section 1265 (3):

"Five or more persons engaged in the production of agricultural products may form a non-profit cooperative association, with or without capital stock, under the provisions of this Act."

Section 1265 (20)

"* * * (a) Agricultural producers and cooperative corporations, organized in other states under the laws similar to this act, shall be licensed to do business in this state when they shall have complied with the general laws of this State, prescribing the terms and conditions upon which foreign corporations may be licensed * * * provided, however, they shall be required to pay only the license fees and filing fees prescribed by this Act for corporations and associations organized hereunder."

"(b) Such * * * cooperative corporations * * * organized in other states under laws generally similar to this act and licensed * * * in this state as hereinabove provided shall be allowed to carry on any proper activities * * * in this state, and all contracts which could be made by any association incorporated hereunder made by or with such cooperative corporations * * * so organized * * * shall be legal and valid and enforceable in this state, and such associations shall be entitled to all of the rights, powers, privileges and remedies set forth in this act."

"1265 (30) Each association organized hereunder shall pay an annual license fee of ten dollars ($10.00) but shall be exempt from all license taxes or taxes upon capital stock or reserve funds held by it."